

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al	)	ORDER, GRANTING MOTION OF
- vs -	)	PROSECUTION TO WITHDRAW
	)	APPLICATION FOR SUBPOENA
ARAKI, Sadao; et al	)	DUCES TECUM FOR YAMASHITA
	)	AND HOMMA RECORDS AND
	)	VACATING FORMER ORDER.

This matter coming on to be heard before The Honorable Sir William Webb, President of the Tribunal, upon the motion of the Prosecution, by Joseph B. Keenan, Chief of Counsel, to withdraw the application heretofore made by the Prosecution on 7 October 1946 (Paper No. 458) for a subpoena duces tecum to be issued, directed to the Legal Section of SCAP, requesting that Section to turn over to the Clerk of this Tribunal all the trial records in the YAMASHITA and HOMMA cases; and after hearing the arguments of Counsel, and the Tribunal being fully advised in the premises, it is

ORDERED: That the motion to withdraw said application for a subpoena duces tecum is hereby granted, and it is

FURTHER ORDERED: That the former order of this Tribunal, made and entered 8 October 1946, granting said application for a subpoena duces tecum, which is Paper No. 464, be and the same is hereby vacated.

Dated at Tokyo, Japan, this 16 October 1946.

BY THE TRIBUNAL:

(Signed) W. F. Webb